

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

## PROPOSAL TO AMEND THE LOCAL RULES

The full Court met in executive session on Thursday, April 30, 2009, and approved a proposal to amend LR5.8 of the Civil Rules of this Court as follows (additions shown thus, and deletions shown ~~thus~~):

### **LR5.8. Filing Materials Under Seal**

Any document to be filed under seal shall be filed in compliance with procedures established by the Clerk of Court and approved by the Executive Committee. Where pursuant to court order as a restricted or sealed document as defined by LR26.2 is not filed electronically, it must be accompanied by a cover sheet which shall include the following:

- (A) the caption of the case, including the case number;
- (B) the title "Restricted Document Pursuant to LR26.2";
- (C) a statement indicating that the document is filed as restricted in accordance with an order of court and the date of that order; and
- (D) the signature of the attorney of record or unrepresented party filing the document, the attorney's or party's name and address, including e-mail address if the attorney or party is registered as a Filing User of electronic case filing, and the title of the document.

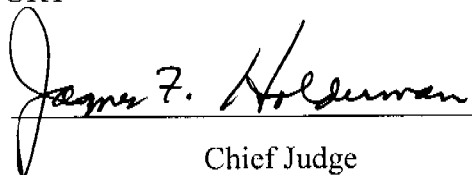
Any document purporting to be a restricted or sealed document as defined in LR26.2 that is not filed in compliance with such procedures presented for filing without the cover page or copy of the order shall not be treated as a restricted or sealed document, but shall be processed like any other document. In such instances, where the document has not been filed electronically, the clerk is authorized to open the sealed envelope and remove the materials for processing.

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**COMMENT:** The proposed modification supports the use of the sealed functionality feature of CM/ECF. By direction of the full Court and pursuant to 28 U.S.C. §207(b) regarding appropriate public notice and opportunity for comment, the Clerk is directed to: (a) cause the proposal to amend Local Rule 5.8 to be posted in the Courthouses at Chicago and Rockford, (b) cause notice of the proposal and requests for comment to be published in the *Chicago Daily Law Bulletin*, (c) cause notice of the proposal and requests for comment to be posted on the web site for the United States District Court Northern District of Illinois, (d) indicate in such notice a final date for receipt of comments, which date shall be sixty days from the first date of publication in the *Law Bulletin*, (e) collect and distribute among the members of the Advisory Committee for Local Rules all comments received, and (f) following receipt of a copy of the report and recommendation of the advisory committee to distribute copies of the comments together with copies of the report and recommendation among the members of the Court for consideration at a regular meeting of the full Court.

ENTER:

FOR THE COURT

  
Chief Judge

Dated at Chicago, Illinois this 11<sup>th</sup> day of May, 2009